

MICHELLE PETERS,

Plaintiff,

vs.

CLARK COUNTY, a political subdivision  
of the State of Nevada,

Defendant.

# REQUEST FOR EXEMPTION FROM ENE ATTENDANCE REQUIREMENT

Particularly in litigation in which governmental agencies or large amounts of money are involved, there may be no one with on-the-spot settlement authority, and the most that should be expected is **access to a person who would have a major role in submitting a recommendation to the body** or board with

1 ultimate decision-making authority. The selection of the  
2 appropriate representative should ordinarily be left to the party  
and its counsel.

3 Advisory Committee Note to 1993 Amendments to Fed. R. Civ. P. 16(c)(9) (emphasis  
4 added.)

5 In this case, a seven-member Board of County Commissioners for Clark County has  
6 the ultimate authority to settle the case. However, this Defendant requests exception from  
7 attendance by the Board of County Commissioners pursuant to LR 16-6(e). Les Lee Shell,  
8 the Risk Manager for Clark County is the appropriate representative and will attend the  
9 ENE.

10 **CONCLUSION**

11 Based upon the foregoing, Defendant requests an exception to the attendance  
12 requirements for the ENE to allow the attendance of Les Lee Shell, as the authorized  
13 representative of Defendant.

14 DATED this 2<sup>nd</sup> day of November 2020.

15 STEVEN B. WOLFSON  
16 DISTRICT ATTORNEY

17 By: /s/ Scott Davis

18 SCOTT R. DAVIS  
19 Deputy District Attorney  
20 State Bar No. 010019  
500 South Grand Central Pkwy., Suite 5075  
Las Vegas, Nevada 89155-2215  
Attorneys for Defendants *Clark County*

21  
22  
23 **IT IS SO ORDERED.**

24 DATED: November 3, 2020

25   
26 \_\_\_\_\_  
27 DANIEL J. ALBREGTS  
28 UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF ELECTRONIC SERVICE**

I hereby certify that I am an employee of the Office of the Clark County District Attorney and that on this 2<sup>nd</sup> day of November, 2020, I served a true and correct copy of the foregoing **Request for Exemption from ENE Attendance Requirement** (United States District Court Pacer System or the Eighth Judicial District Wiznet), by e-mailing the same to the following recipients. Service of the foregoing document by e-mail is in place of service via the United States Postal Service.

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/s/ Aisha A. Rincon

An Employee of the Clark County District  
Attorney's Office – Civil Division